

## DISTRICT COURT (SECOND DISTRICT : WEBER COUNTY) [1687]

### MINUTES, 1896-[ongoing]

**DESCRIPTION:** This series is made up of minute books which record the official acts and proceedings of the Second District Court while sitting in Ogden, Weber County, Utah. These records were created and maintained by the court clerk, who is required by state statute to keep a minute book (Utah Code Annotated, 1953, 17-20-2).

The minutes are a daily record of documents filed and actions taken with regard to every matter brought before each session of the court, largely regarding documents submitted, appearances before the court, and orders issued. A typical case spans multiple dates. Minutes are not transcripts, but do include a brief description of the hearing, including the title of case, case number, names of attorneys, date of each development in the case, record of witnesses and evidence introduced, what pleadings, petitions, or motions were made and by whom, and summaries of injunctions, rules, orders, verdicts, and judgments. Administrative details and meeting logistics (such as the court site, officers present, the selection and dismissal of jurors, and scheduling and assigning cases) are noted.

The minutes encompass criminal and civil cases, including probate matters such as estates, guardianship, and adoption. Petitions for divorce, alimony, and child support are a predominant type of civil action. Suits to recover money are also common. These actions arise out of failure to honor promissory notes or other contract terms and non-payment of rent, lease payments, and court-ordered judgments. Attempts to recover medical costs and lost income arising out of personal injury cases resulting from alleged carelessness or neglect appear frequently. These include traffic mishaps or accidents involving neighbors, employees, or business customers. Property cases include disputed ownership, damage, and contested improvements. Other legal actions include naturalization of aliens, voluntary withdrawal or dissolution of corporations, and petitions for a writ of habeas corpus (a court order requiring that a prisoner be brought before a judge to decide the legality of his detention or

imprisonment). Criminal matters may involve larceny, trespass, burglary, robbery, assault, battery, rape, prostitution, sodomy, child abuse, gambling, narcotics, riot, perjury, or murder.

According to statute, the district court has jurisdiction in all matters not excepted by the state constitution and not prohibited by law. During each calendar year the court is required to hold at least three terms at the county seat of each county within the district. The county clerk in each county serves as ex-officio clerk to the court and is responsible for maintaining the minute book for actions arising in that county. While sitting in Ogden, the Second District Court is restricted to adjudication of actions involving real property located within Weber County, those in which the defendant resides in Weber County, and those involving incidents occurring in Weber County.

These minute books document the legal process and the administration of justice in conjunction with civil and criminal cases. A certificate of authenticity signed by Judge Henry Herman Rolapp attesting to accuracy of the minutes is found at back of first six volumes. The first two volumes are handwritten while subsequent volumes are typewritten.

**ARRANGEMENT:** The minutes are chronological by court dates. With the addition of a second judge in 1911, a department designation is used to distinguish daily entries for each. A third judge (department) was added in 1951. Separate volumes are arranged in numerical order.

**RESEARCH NOTE:** An index to volumes 1-5 of the minute books, presumably still in the custody of the Second District Court in Weber County, was noted in the Preliminary Inventory of the County Archives of Utah, vol. 29, Weber County. The same is true of the Blotters and Register of Actions, which may be used to find the unique case number corresponding to the appropriate case. Judgment Dockets may be used to determine case numbers as well.

Nearly six pages of Volume 53 are devoted to a resolution of respect for "Judge" Hiram Hunt Henderson (1862-1945), who practiced law in Ogden from 1888 to 1945. Henderson previously served as law clerk for Associate Justice Henry P. Henderson (his uncle). The tribute was delivered on 24 October 1945 and includes biographical information about the younger Henderson.

**RELATED RECORDS:** Blotters provide the minutes in an abbreviated fashion. More detailed information may be found in case files, commitment records, and information and indictment records. Judgment books and civil case decisions record the outcome of the cases. Naturalization record books show further documentation of naturalizations. For appeals to the district court the lower court records should be checked, as should the Supreme Court for appeals from the district court. Consult county clerk records for minutes from other counties in the Second District. District Court minutes before 1896 are found in WEBER COUNTY

MINUTE BOOKS (1878-1896), series 5062. CIVIL CASE INDEX, series 21933, records the names of plaintiffs and defendants involved in civil actions and provides assigned case numbers.

**ACCESS RESTRICTIONS:** Public with the exception of adoptions, which are sealed for 100 years.

**CUSTODY HISTORY:** The Weber County Clerk serves as ex-officio clerk of Second District Court in and for Weber County. These minute books were created and maintained by the clerk of the Second District Court in Ogden, Utah, until their transfer to the Utah State Archives.

**PROCESSING NOTE:** The Utah Judicial Council has determined that minutes are permanent records. Microfilming and destruction of the original records was authorized by the court clerk (RDR dated 15 February 1963 and approved March 1963). Archival processing of the minute books in the custody of the state archives (volumes 1-67 and covering the period from 7 January 1896 to 7 July 1961) was completed in April 1999 by W. Glen Fairclough, Jr. Microfilming of these volumes was completed in 2002.

## CONTAINER LIST

Reel	Description
1	January 7, 1896-May 28, 1897; Vol. 1
1	May 29, 1897-November 25, 1898; Vol. 2
2	November 26, 1898-May 9, 1899; Vol. 2
2	May 10, 1899-November 28, 1900; Vol. 3
3	November 30, 1900-February 24, 1902; Vol. 4
4	February 24, 1902-March 4, 1903; Vol. 5
5	March 5, 1903-February 23, 1904; Vol. 6
6	February 23, 1904-March 6, 1905; Vol. 7
7	March 6, 1905-December 30, 1905; Vol. 8
8	January 3, 1906-February 21, 1907; Vol. 9
9	February 23, 1907-March 13, 1908; Vol. 10
10	March 14, 1908-February 19, 1909; Vol. 11
11	February 20, 1909-December 31, 1909; Vol. 12
12	January 3, 1910-September 6, 1910; Vol. 13
13	September 7, 1910-June 10, 1911; Vol. 14
14	June 12, 1911-January 31, 1912; Vol. 15
15	February 1, 1912-October 31, 1912; Vol. 16
16	November 1, 1912-July 22, 1913; Vol. 17
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18	April 1, 1914-November 30, 1914; Vol. 19
19	December 2, 1914-July 20, 1915; Vol. 20

<b>Reel</b>	<b>Description</b>
20	July 22, 1915-March 22, 1916; Vol. 21
21	March 22, 1916-December 15, 1916; Vol. 22
22	December 15, 1916-July 3, 1917; Vol. 23
23	July 3, 1917-March 2, 1918; Vol. 24
24	March 4, 1918-January 16, 1919; Vol. 25
25	January 16, 1919-September 15, 1919; Vol. 26
26	September 15, 1919-April 20, 1920; Vol. 27
27	April 21, 1920-January 17, 1921; Vol. 28
28	January 18, 1921-September 21, 1921; Vol. 29
29	September 22, 1921-May 1, 1922; Vol. 30
30	May 1, 1922-January 3, 1923; Vol. 31
31	January 3, 1923-September 15, 1923; Vol. 32
32	September 17, 1923-May 7, 1924; Vol. 33
33	May 7, 1924-February 25, 1925; Vol. 34
34	February 26, 1925-March 29, 1926; Vol. 35
35	March 29, 1926-May 7, 1927; Vol. 36
36	May 9, 1926-June 23, 1928; Vol. 37
37	June 25, 1928-September 3, 1929; Vol. 38
38	September 4, 1929-October 14, 1930; Vol. 39
39	October 15, 1930-November 14, 1931; Vol. 40
40	November 16, 1931-November 25, 1932; Vol. 41
41	November 25, 1932-November 13, 1933; Vol. 42
42	November 13, 1933-December 31, 1934; Vol. 43
43	December 31, 1934-February 8, 1936; Vol. 44
44	February 10, 1936-March 12, 1937; Vol. 45
45	March 12, 1937-April 19, 1938; Vol. 46
46	April 20, 1938-August 4, 1939; Vol. 47
47	August 7, 1939-November 20, 1940; Vol. 48
48	November 22, 1940-February 27, 1942; Vol. 49
49	March 2, 1942-June 21, 1943; Vol. 50
50	June 22, 1943-September 6, 1944; Vol. 51
51	September 6, 1944-October 22, 1945; Vol. 52
52	October 22, 1945-October 3, 1946; Vol. 53
53	October 4, 1946-October 14, 1947; Vol. 54
54	October 14, 1947-November 1, 1948; Vol. 55
55	November 1, 1948-October 10, 1949; Vol. 56
56	October 10, 1949-September 1, 1950; Vol. 57
57	September 5, 1950-August 13, 1951; Vol. 58
58	August 15, 1951-September 2, 1952; Vol. 59
59	September 2, 1952-October 5, 1953; Vol. 60
60	October 5, 1953-December 1, 1954; Vol. 61
61	December 2, 1954-February 6, 1956; Vol. 62
62	February 6, 1956-April 30, 1957; Vol. 63
63	May 1, 1957-June 30, 1958; Vol. 64
64	June 30, 1958-August 17, 1959; Vol. 65
65	August 21, 1959-September 12, 1960; Vol. 66
66	September 12, 1960-July 7, 1961; Vol. 67

